

I trust that it is not in bad taste to praise an institution to which one belongs, at least when one is discreet enough to refer only to achievements in which one has had no part. The Supreme Court of Canada, as others before me have noted, has earned an impressive reputation abroad, particularly after it began deciding cases under the Canadian Charter of Rights and Freedoms. In fact, the Davos Institute has ranked Canada's justice system as the second best in the world, after Denmark's (IMD International, *The World Competitiveness Yearbook*, Lausanne, Switzerland: International Institute for Management Development, 2000, Table 3.42, p. 418).

In a speech last September to mark the 125th anniversary of the Supreme Court, the eminent British lawyer Sydney Kentridge discussed a wide variety of references to judgments of this Court by the judiciaries of England, South Africa, Australia, India, New Zealand, Zimbabwe, Hong Kong, Scotland, Israel and the United States. Mr. Kentridge also told a story about Lord Goff, of the Privy Council in England. His Lordship was hearing a case from the Caribbean involving a death sentence. One of the barristers was asked why he was citing a Canadian authority. According to Mr. Kentridge, Lord Goff instructed the barrister as follows:

*What you are going to tell his Lordship is that this is a judgment of the Supreme Court of Canada and therefore not lightly to be dismissed.*

While courts abroad have cited the highest court in Canada on subjects such as civil liability, administrative law and Aboriginal rights, it is clear that Canadian decisions regarding the rights and freedoms guaranteed by our Charter have represented the Supreme Court's most significant contribution to the international human rights discourse. Foreign jurisdictions have looked to our Court on a variety of issues, notably assisted suicide, restrictions on political statements by civil servants, and campaign spending rules.

In the area of criminal law, our Court has provided guidance on such fundamental issues as the presumption of innocence and the limits that may be placed on individual rights in a free and democratic society. For example, in *S. v. Zuma*, [1995] 4 B.C.L.R. 401, its very first decision, the Constitutional Court of South Africa considered the validity of a provision that reversed the burden of proof in a criminal law context. The Constitutional Court was strongly influenced by the judgments of our Court in *R. v. Oakes* (1986), 26 D.L.R. (4th) 449, *R. v. Downey* (1992), 90 D.L.R. (4th) 449, *R. v. Chaulk* (1990), 62 C.C.C. (3rd) 193 and *R. v. Whyte* (1988),